

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Richard J. Hughes Justice Complex
25 Market Street
P.O. Box 119
Trenton, New Jersey 08625
Attorney for N.J. Department of Labor & Workforce Development,
Division of Unemployment and Disability Insurance

By: James M. Bennett
Deputy Attorney General
(609) 984-2901

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
VICINAGE OF CAMDEN

In Re: Ruth I. Baez : **Case No.: 15-23635 JNP**
Debtor : **Adv. Pro. No.:**

:

: **Chapter 7**

N.J. DEPARTMENT OF LABOR &
WORKFORCE DEVELOPMENT, DIVISION OF:
UNEMPLOYMENT AND DISABILITY
INSURANCE,

:

Civil Action

Plaintiff,

:

COMPLAINT TO DETERMINE
DISCHARGEABILITY OF DEBT

v.

:

RUTH I. BAEZ,

:

Defendant.

:

Plaintiff, New Jersey Department of Labor & Workforce
Development, Division of Unemployment and Disability Insurance,
("N.J. Labor") through its Attorney, John J. Hoffman, Acting

Attorney General of New Jersey (by James M. Bennett, Deputy Attorney General), says:

1. This complaint is filed by N.J. Labor to determine whether the debt owed to the N.J. Labor is nondischargeable pursuant to 11 U.S.C. § 523(a)(2) and 523 (a) (7). The court has jurisdiction under 28 U.S.C. § 1334. This matter is a core proceeding under 28 U.S.C. § 157(b)(2)(I).

2. Between July 11, 2009 and February 13, 2010, Ruth I. Baez, debtor, by means of willful misrepresentation obtained unemployment compensation benefits from N.J. Labor in the amount of \$16,992.00, in violation of N.J.S.A. 43:21-16.

3. After notice and an opportunity for a hearing, N.J. Labor sought a refund of the overpayment of unemployment benefits in the amount of \$21,240.00 including penalty in the amount of \$4,248.00.

4. Defendant has received a credit of \$5,902.00. No interest has accrued.

5. The amount due is a debt for money obtained by fraud and false representation and for penalties owed to and for the benefit of a governmental unit within the meaning of 11 U.S.C. § 523 (a)(2) and 523 (a) (7) in that the debtor represented that she was unemployed and eligible for benefits when in fact she was employed and ineligible for benefits.

WHEREFORE, N.J. Labor requests the following relief from this Court:

(a) determine that the debt(s) owed by defendant-debtor, Ruth I. Baez, to N.J. Labor, is nondischargeable;

(b) enter judgment in favor of N.J. Labor, and against defendant, Ruth I. Baez, in the sum of \$15,338.00;

(c) and grant any further relief as is just and equitable.

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: /s/ James M. Bennett
James M. Bennett 000351973
Deputy Attorney General

DATED: October 9, 2015